



1101 Stadium Drive, Ada, OK 74820 · office: 580.332.1444 · fax: 580.332.2532 · email: dsovereign@kelloggllc.com

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

March 23, 2009

ERRATA

Correction to Appeal Letter filed 3/14/09
Original FCC Confirmation # 2009314102344

CC Docket No. 02-6

RE: Appeal of Notification of Improperly Disbursed Funds Letter

Contact Name:

Deborah J. Sovereign, Consultant
1101 Stadium Drive
Ada, OK 74820
Phone: 580.332.1444, Fax: 580.332.2532
Email: dsovereign@kelloggllc.com

Applicant:

Oklahoma School for the Deaf
Form 471 Application Number: 410590
Funding Year 2004: 07/01/2004 – 06/30/2005
Billed Entity Number: 230962
FCC RN: 0001193641

ERRATA:

Appeal ALSO includes:
Form 471 Application Number: 463568
Funding Year 2005: 07/01/2005-06/30/2006

We are appealing the "Notification of Improperly Disbursed Funds Letter" dated January 14, 2009 (See Attachment A) for the following funding requests:

Funding Request Number: 1125976 (FY 2004)
Services Ordered: Internet Access
SPIN: 143015254
Service Provider Name: OneNet (Oklahoma State Regents)
Funding Commitment: \$15,265.80
Funds Disbursed to Date: \$14,803.02
Funds to be Recovered from Applicant: \$14,803.02

Oklahoma School for the Deaf, Form 471 Application # 410590, 463568

ERRATA: APPEAL ALSO INCLUDES:

Funding Request Number: 1274070 (FY 2005)

Services Ordered: Internet Access

SPIN: 143015254

Service Provider Name: OneNet (Oklahoma State Regents)

Funding Commitment: \$16,653.60

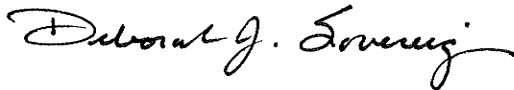
Funds Disbursed to Date: \$16,653.60

Funds to be Recovered from Applicant: \$5,247.02

ERRATA: See attached Notification of Improperly Disbursed Funds for FY 2005-06.

REMAINDER OF THE APPEAL IS UNCHANGED

Respectfully submitted,



Deborah J. Sovereign, CPA
Consultant

ERRATA - Attachments:

- A. Notification of Improperly Disbursed Funds Letter - FRN 1274070
- B. Letter of Agency - Form 471 Application # 463568

ATTACHMENT A

Notification of Improperly Disbursed Funds
Form 471 Application # 463568
FRN 1274070



Universal Service Administrative Company

Schools & Libraries Division

Notification of Improperly Disbursed Funds Letter

Funding Year 2005: 7/01/2005 - 6/30/2006

January 14, 2009

**Betty Stephens
OKLAHOMA SCHOOL FOR THE DEAF
1100 EAST OKLAHOMA STREET
SULPHUR, OK 73086**

**Re: Form 471 Application Number: 463568
Funding Year: 2005
Applicant's Form Identifier: OK Deaf - YR 8 - 1
Billed Entity Number: 230962
FCC Registration Number: 0001193641
SPIN Name: OneNet (Oklahoma State Regents)
Service Provider Contact Person: JoAnn Braniff**

Our routine review of Schools and Libraries Program funding commitments has revealed certain applications where funds were disbursed in violation of program rules.

In order to be sure that no funds are used in violation of program rules, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) must now recover these improper disbursements. The purpose of this letter is to inform you of the recoveries as required by program rules, and to give you an opportunity to appeal this decision. USAC has determined the applicant is responsible for all or some of the program rule violations. Therefore, the applicant is responsible to repay all or some of the funds disbursed in error.

This is NOT a bill. The next step in the recovery of improperly disbursed funds process is for SLD to issue you a Demand Payment Letter. The balance of the debt will be due within 30 days of the Demand Payment Letter. Failure to pay the debt within 30 days from the date of the Demand Payment Letter could result in interest, late payment fees, administrative charges and implementation of the "Red Light Rule." Please see the "Informational Notice to All Universal Service Fund Contributors, Beneficiaries, and Service Providers" at <http://www.universalservice.org/fund-administration/tools/latest-news.aspx#083104> for more information regarding the consequences of not paying the debt in a timely manner.

ATTACHMENT # A-1

TO APPEAL THIS DECISION

If you wish to appeal the Notification of Improperly Disbursed Funds decision indicated in this letter, your appeal must be received or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify the date of the Notification of Improperly Disbursed Funds Letter and the funding request numbers you are appealing. Your letter of appeal must also include the applicant name, the Form 471 Application Number, Billed Entity Number, and the FCC Registration Number (FCC RN) from the top of your letter.
3. When explaining your appeal, copy the language or text from the Notification of Improperly Disbursed Funds letter that is the subject of your appeal to allow the SLD to more readily understand your appeal and respond appropriately. Please keep your letter specific and brief, and provide documentation to support your appeal. Be sure to keep copies of your correspondence and documentation.
4. Provide an authorized signature on your letter of appeal

If you are submitting your appeal electronically, please send your appeal to appeals@sl.universalservice.org using your organization's e-mail. If you are submitting your appeal on paper, please send your appeal to: Letter of Appeal, Schools and Libraries Division, Dept. 125 - Correspondence Unit, 100 South Jefferson Road, Whippany, NJ 07981. Additional options for filing an appeal can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC web site or by calling the Client Service Bureau at 1-888-203-8100. We strongly recommend that you use the electronic filing options.

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC web site or by calling the Client Service Bureau. We strongly recommend that you use the electronic filing options.

ATTACHMENT # A-2

FUNDING DISBURSEMENT REPORT

On the pages following this letter, we have provided a Funding Disbursement Report (Report) for the Form 471 application cited above. The enclosed Report includes the Funding Request Number(s) from the application for which recovery is necessary. Immediately preceding the Report, you will find a guide that defines each line of the Report. The SLD is also sending this information to the service provider for informational purposes. If USAC has determined the service provider is also responsible for any rule violation on these Funding Request Numbers, a separate letter will be sent to the service provider detailing the necessary service provider action. The Report explains the exact amount the applicant is responsible for repaying.

Schools and Libraries Division
Universal Services Administrative Company

cc: JoAnn Braniff
OneNet (Oklahoma State Regents)

ATTACHMENT # A.3

A GUIDE TO THE FUNDING DISBURSEMENT REPORT

Attached to this letter will be a report for each funding request from the application cited at the top of this letter for which a Recovery of Improperly Disbursed Funds is required. We are providing the following definitions.

FUNDING REQUEST NUMBER (FRN): A Funding Request Number is assigned by the SLD to each individual request in a Form 471 once an application has been processed. This number is used to report to applicants and service providers the status of individual discount funding requests submitted on a Form 471.

SERVICES ORDERED: The type of service ordered from the service provider, as shown on Form 471.

SPIN (Service Provider Identification Number): A unique number assigned by the Universal Service Administrative Company to service providers seeking payment from the Universal Service Fund for participating in the universal service support programs.

SERVICE PROVIDER NAME: The legal name of the service provider.

CONTRACT NUMBER: The number of the contract between the applicant and the service provider. This will be present only if a contract number was provided on the Form 471.

BILLING ACCOUNT NUMBER: The account number that your service provider has established with you for billing purposes. This will be present only if a Billing Account Number was provided on the Form 471.

SITE IDENTIFIER: The Entity Number listed on Form 471, Block 5, Item 22a. This number will only be present for "site specific" FRNs.

FUNDING COMMITMENT: This represents the amount of funding that SLD had reserved to reimburse you for the approved discounts for this service for this funding year.

FUNDS DISBURSED TO DATE: This represents the total funds that have been paid to the identified service provider for this FRN as of the date of this letter.

FUNDS TO BE RECOVERED FROM APPLICANT: This represents the amount of improperly disbursed funds to date as a result of rule violation(s) for which the applicant has been determined to be responsible. These improperly disbursed funds will have to be recovered from the applicant.

DISBURSED FUNDS RECOVERY EXPLANATION: This entry provides the reason why recovery is required.

ATTACHMENT # A-4

**Funding Disbursement Report
for Form 471 Application Number: 463568**

Funding Request Number: 1274070
Services Ordered: INTERNET ACCESS
SPIN: 143015254
Service Provider Name: OneNet (Oklahoma State Regents)
Contract Number: MTM
Billing Account Number: 580-622-4902
Site Identifier: 230962
Funding Commitment: \$16,653.60
Funds Disbursed to Date: \$16,653.60
Funds to be Recovered from Applicant: \$5,247.02

Disbursed Funds Recovery Explanation:

After a thorough investigation, it has been determined that the funds were improperly disbursed on this funding request. During the course of a review it was determined that the technology plan did not cover the entire funding year for this funding request. Program rules require that a technology plan be effective during the entire funding year in which the applicant is seeking support for services other than basic telecommunication service. On the Form 486 it was indicated that the services for FRN 1274070 began on 07/01/2005. Additionally, your Form 471 indicated 06/30/2006 as a Service End Date for this FRN. During the course of review it was discovered that your technology plan was re-submitted on October 24, 2005, which was after the date your services commenced for this FRN. Therefore, USAC will seek recovery of improperly disbursed funds for this FRN in the amount of \$5,247.02 for the part of the funding year not covered with the technology plan (\$16,653.60 * (115/365 days)).

ATTACHMENT # A-5

ATTACHMENT B

Letter of Agency



www.okrehab.org

Oklahoma Department of Rehabilitation Services

BUSINESS AND EMPLOYMENT SERVICES TEAM

Director
Linda Parker
Commissioners
Ray Kirk
Steve Shelton
Ben C. White

January 20, 2009

LETTER OF AGENCY

Oklahoma School for the Deaf
Sulphur, Oklahoma

I hereby authorize Jane Kellogg and/or Deborah Sovereign, representatives of Kellogg & Sovereign Consulting®, LLC to file an appeal with the Federal Communications Commission (FCC) on our behalf for Form 471 Application Number 463568, Funding Year 2005. As such, they are authorized to prepare and submit the appeal and related documentation and act as our agent in working with representatives of the FCC and/or the Universal Service Administrative Company (USAC) related to the appeal and associated application for E-Rate funding.


Signature

BETTY STEPHENS
Printed Name of Authorized Person

BUSINESS MANAGER
Title

ATTACHMENT # B